June 9, 2009

TO: Teresa Parsons, Supervisor
Director's Review Program

FROM: Meredith Huff, SPHR
Director's Review Investigator

RE: Randall Erickson v. Dept. of Social and Health Services (DSHS)
Allocation Review ALLO 08-057

Director's Review Conference
Mr. Randall Erickson, Mr. Efren Gonzales and Mr. Charles Lush individually requested a Director's Review through their representative, Ms. Amy Achilles, WFSE Field Representative. On April 21, 2009, the review conference was held by phone. In attendance by phone were Mr. Gonzales, Mr. Erickson and Mr. Lush, employees; Mr. Gary Hill and Ms. Amy Achilles, WFSE Council Staff representing Mr. Gonzales, Mr. Erickson and Mr. Lush; and Mr. Robert Swanson, Classification and Compensation Specialist, representing DSHS.

The Director's Review conference included all three employees and the employees' comments were applicable to all of the positions, with the exception that only Mr. Lush performs lead duties.

Mr. Hill objected to the arrival of the DSHS' exhibits package a few minutes prior to the phone conference and cited WAC 357-49-025 as providing instruction for the exchange of exhibit materials.

Director's Determination
As the Director's review investigator, I carefully reviewed all of the documentation in the file, the class specifications and the information provided during the Director's Review conference. Based on my review and analysis of Mr. Erickson's assigned duties and responsibilities, I determined that his position is properly allocated to the Maintenance Mechanic 2 class.

Background
Mr. Randall Erickson, position #FY49, Mr. Efren Gonzales, position #MB56, and Mr. Charles Lush, position #FZ12, work at the Frances Haddon Morgan Center (Center) of DSHS. Mr. Charles Lush is the lead person for Mr. Gonzales and Mr. Erickson. Mr. Gonzales' and Mr. Erickson's positions were classified as Stationary Engineer 2 and Mr. Lush's position was allocated to Stationary Engineer 3.

During the review conference, Mr. Swanson indicated that Ms. Carol Kirk, Superintendent of the Center, requested that reviews be completed for these employees' positions. Mr. Swanson pointed out that he provided a training session for the employees explaining the position review process, possible outcomes and appeal rights. Position Description Forms (PDF) for these positions, signed by Mr. Ken Neubauer, immediate supervisor, and Ms. Kirk, were submitted July 23, 2008 to the DSHS Classification/Compensation Unit. Mr. Gonzales, Mr. Erickson and Mr. Lush, each acknowledged by individually signing the form, that he received a copy of the PDF.

By letter dated August 5, 2008, Ms. Pamela Pelton, DSHS Classification and Compensation Manager, determined that Mr. Gonzales' and Mr. Erickson's positions should be reallocated downward from Stationary Engineer 2 to Maintenance Mechanic 2 effective July 23, 2008. (Exhibit A-2) Ms. Pelton determined that Mr. Lush's position should be reallocated downward from Stationary Engineer 3 to Maintenance Mechanic 3 effective July 23, 2008. (Exhibit A-2) On September 2, 2008, Ms. Achilles submitted requests for a Director's Review of DSHS' decisions on behalf of Mr. Gonzales, Mr. Erickson and Mr. Lush. (Exhibit A-1) Mr. Swanson confirmed the time period for the review is at least the six months prior to August 4, 2008.

Summary of employees' comments
On behalf of the employees, Mr. Hill and Ms. Achilles, individually stated that the Maintenance Mechanic classes were not the best fit for these employees' positions, as there are no provisions in those specifications describing responsibilities for the boilers and hot water heaters in the plant. Ms. Achilles noted that the PDF forms were completed by management without any input from the employees.

Mr. Lush explained that during the winter the temperatures in the buildings must be maintained and the heating plant is constantly operational. He noted that the majority of the maintenance for the plant and the inspections are completed during the summer. He confirmed that in getting ready for inspections the auxiliary systems (pumps, pipes, values, etc.) are checked and repaired. Everything that the Inspector finds that is not right must be fixed either by the employees or by contracted services.

Mr. Lush verified that basically during an eight-hour shift there are many stations and all the equipment to check in the plant. During the night shift, he commented, there is additional checking for leaks, the gauges, and generally keeping the system going. He noted that the boiler has been automated. He observed that when the old boilers are used, readings are taken and recorded on the logs every hour. The purpose of the shift

log is to document what the employee did during the shift and what is observed to be broken or abnormal. Mr. Hill pointed out the exhibits of the logs for the steam plant that the employees are required to complete during each shift. (Exhibit B-12)

Mr. Lush emphasized that he, Mr. Gonzales and Mr. Erickson are boiler operators rather than maintenance personnel; however, they are qualified to repair plant items, in addition to their other duties. He noted that if plant repairs require two people, that is more difficult as they work alone on different shifts. When possible, he stated that he moves his shift an hour or two to overlap with Mr. Gonzales or Mr. Erickson so together they can complete the two-person repairs. When there is no time for doing the repair in-house, it is contracted out. Mr. Lush detailed work and repairs in the boilers as punching tubes in the boilers (cleaning); major repairs on the circulation pump such as ordering and installing parts; replacing failing hot water heaters; repairing furnaces by replacing and fixing parts; performing preventive maintenance on the boiler; and testing boiler water for conductivity and chemical limits to prevent corrosion/ breaks and eruptions. He noted that each shift has a certain amount of preventive maintenance and security checks in the five buildings at the Center.

Mr. Lush explained that he, Mr. Gonzales and Mr. Erickson are responsible to ensure fire safety and security. They do so by making sure the sprinkler system is in working condition, checking the fire extinguishers once a month, and making fire safety/security rounds in the Center's buildings. They carry a cell phone from the monitoring company. He noted that the graveyard shift, in addition to plant responsibilities, ensures all the Center's doors are closed, occasionally provides an escort for an employee going to the parking lot, and observes and reports any incidents that are unsafe or unsecured. He mentioned that Mr. Erickson has the additional responsibility of cutting grass and maintaining mowing equipment.

Mr. Lush noted there are ten vehicles in the car pool. The drivers identify a problem by writing it in a book. Mr. Erickson reviews the book and lists the problems. As necessary, Mr. Lush completes the paperwork to have the vehicle inspected, repaired and the oil changed by an outside company.

Mr. Lush, Mr. Erickson and Mr. Gonzales individually stated that outside of the plant operations, they did not utilize a general knowledge of plumbing, electrical, welding, carpentry and machinist work in performing duties. They noted that they do change light bulbs, switches and ballasts. Occasionally they may be asked to unplug a toilet using a plunger; however, they do not use pipe snakes to clear drains. Mr. Gonzales noted that for safety reasons in an emergency situation, he may fix a fence or temporarily repair a hole in a wall by covering it with plywood. He explained he does not do finish work such as plastering and painting walls. He emphasized that other staff at the Center are responsible for doing the work that requires trade skills.

On behalf of the employees, Mr. Hill noted the Stationary Engineer 2 talks about boilers and the Maintenance Mechanic 2 class does not. Mr. Hill and Ms. Achilles each

observed that the duties and responsibilities from the current and the 2004 position descriptions have not significantly changed. Ms. Achilles emphasized that for 100% of their shifts, each employee is responsible for the safe operation of the boilers – not 51% of his work time. She further observed that the Maintenance Mechanic 2 class does not have the qualifications for the safe operation of the boilers. Because the Stationary Engineer series is more specific for the plant responsibilities of Mr. Gonzales, Mr. Erickson and Mr. Lush, Mr. Hill and Ms. Achilles stressed it is the best fit class for these positions.

Summary of DSHS's comments

Mr. Swanson noted that in October 2007, management started reallocations as part of Ms. Kirk's reorganization of the Center. He stated that he spent two to three hours talking with the maintenance crew and explaining the allocation process. He remarked that previously employees had to be licensed or certified to touch the boilers; however, that requirement has changed. He pointed out that the goal is to find the class that is the best fit for a position's duties and responsibilities. He observed that for a position reallocation, the incumbent must perform the work for a majority of the time; on the PDF, 15% to 20% of the work time is spent in the steam plant. He emphasized that although the majority of work does not reach the Stationary Engineer level, that does not mean the employees are not qualified to do the work. On a best fit basis and considering the percentages of time spent in each assigned work function, Mr. Swanson determined the Maintenance Mechanic series is the best fit for these employees' jobs.

Rationale for determination

A position review is neither a measurement of the volume of work performed, nor an evaluation of the expertise with which the work is performed. A position review is a comparison of the duties and responsibilities of a particular position to the available classification specifications. This review results in a determination of the class that best describes the overall duties and responsibilities of the position. See Liddle-Stamper v. Washington State University, PAB Case No. 3722-A2 (1994).

The Personnel Resources Board (PRB) has held that: "...because a current and accurate description of a position's duties and responsibilities is documented in an approved classification questionnaire, the classification questionnaire becomes the basis for allocation of a position. An allocation determination must be based on the overall duties and responsibilities as documented in the classification questionnaire." Lawrence v. Dept of Social and Health Services, PAB No. ALLO-99-0027 (2000).

In Salsberry v. Washington State Parks and Recreation Commission, PRB Case No. R-ALLO-06-013 (2007), the Personnel Resources Board addressed the concept of best fit. The Board referenced Allegri v. Washington State University, [PAB Case No. ALLO-96-0026 (1998)], in which the Personnel Appeals Board noted that while the appellant's duties and responsibilities did not encompass the full breadth of the duties and responsibilities described by the classification to which his position was allocated, on a

best fit basis, the classification best described the level, scope and diversity of the overall duties and responsibilities of his position.

In addition the PRB found that most positions within the civil service system occasionally perform duties that appear in more than one classification. However, when determining the appropriate classification for a specific position, the duties and responsibilities of that position must be considered in their entirety and the position must be allocated to the classification that provides the best fit overall for the majority of the position's duties and responsibilities. Dudley v. Dept. of Labor and Industries, PRB Case No. R-ALLO-07-007 (2007).

Glossary of Classification, Compensation and Management Terms (Glossary)
In reviewing this position, I have considered the following terms which are defined in the Department of Personnel's (DOP) *Glossary of Classification, Compensation and Management Terms.* The website link is:
http://www.dop.wa.gov/CompClass/CompAndClassServices/Pages/HRProfessionalTools.aspx

Journey-Level. Fully competent and qualified in all aspects of a body of work and given broad/general guidance. Individuals can complete work assignments to standard under minimal supervision. Also referred to as the working or fully qualified level.

Nature of Work. Basic types of work assignments performed by a class: ...
Trades – Duties require specialized manual or mechanical skills and a comprehensive knowledge of work processes, normally acquired through an apprenticeship or other training program.

Position Description Form (PDF)
Mr. Erickson works swing shifts Tuesday through Saturday. The assigned responsibilities and duties of Mr. Erickson's position are described on the PDF, in part, as follows:

Section III. General Description/Position Objective. 1. Summarize the position's scope of work: *"Insures broilers, furnaces, HVAC, pumps, communication equipment, motors, life safety systems and motor vehicles are maintained and operating safely and efficiently. Lead worker to others and schedules shift coverage for operations personnel insuring all shifts are covered. Responds to facility emergencies including security, client emergency needs, hazards and disasters."* [During the review conference there was agreement among the parties that the statement of lead responsibilities only applies to Mr. Lush's position.]

Section IV describes the level of supervision received for Mr. Erickson's position as "*spot-check basis only*."

Section V. Assigned Duties and Responsibilities (copied in part). "Underline indicates the essential functions of the position....."

20% HVAC & Other Mechanical & Environmental Controls: Operate maintain, and repair heating, ventilating and air conditioning (HVAC) systems and related equipment for safety and efficiency. ...
20% Fire Safety: Monitor fire equipment to ensure the building systems are operating in a satisfactory condition; this includes initiating, suppression, notifying equipment; and emergency generator.
30% Security: Responsible to lead campus personnel as an Incident Commander in the event of a natural or man made disaster. Acts as lead person during client searches and responds to all response team and code red calls. ....
20% Grounds ...Performs campus grounds maintenance... to include mowing, trimming and event setups.
5% Motor Pool Issues and receives vehicles. Coordinate vehicle reservations, motor vehicle inspections and repairs
5% Other duties. (Exhibit B-2, pg 2-3)

Classifications Reviewed
The Maintenance Mechanic (MM) classes are included in the Trades Helpers class series concept (class code 626I), which describes positions in the series, in part, as performing general maintenance and repair, utilizing working knowledge of several related skill fields, including electrical, plumbing, and machinist work. As such, incumbents inspect, repair, install and maintain facilities, machinery and equipment. Mr. Erickson's position fits within this description.

The **MM2** (class code 626K) **Definition** is the *journey, working or occupational level of the series. Positions at this level perform a variety of skilled work in the operation, maintenance, repair, remodeling and construction of buildings, grounds, machinery, mechanical facilities and equipment, and hospital facilities, systems and equipment. Incumbents work independently and utilize a general knowledge of several related skill fields such as plumbing, electrical, welding, carpentry, and machinist work.*

Mr. Erickson is performing skilled work in a variety of areas. In addition, the level of steam plant, HVAC and other maintenance work often extends to journey level. While examples of **Typical Work** identified in a class specification do not form the basis for an allocation, they lend support to the work envisioned within a classification. The Typical Work identified in the MM2 class specification most in line with Mr. Erickson's assignments includes:

- Performs preventative maintenance and repairs on all types of mechanical equipment . . .to ensure proper operation;
- Performs maintenance, operation and repair of electrical, mechanical and structural systems of buildings and utility distribution;
- Monitor safety, fire protection and environmental control equipment to ensure the building systems and equipment are operating in a satisfactory condition; respond to service request and secure necessary assistance; take preventative and emergency action to control malfunctions;

- Operates hand tools, power tools and other shop equipment; ...
- Installs, maintains, and repairs electrical connections, switches, circuits, electrical equipment, and thermostats, and valves; ...

Mr. Erickson frequently works the swing shift when his lead person is not available. During his shift he independently is responsible for maintaining the steam plant and recording information on the required logs, providing security, maintaining the fire alarm system, providing preventive maintenance and repairs and general upkeep of the Center's facilities and grounds and responding to emergency repairs and situations. His responsibilities include maintenance and repairs of equipment and tools such as those used for grounds maintenance, recording of necessary automobile repairs and maintenance, and maintaining the steam plant facilities.

When comparing the totality of Mr. Erickson's assigned duties and responsibilities to the job classifications, the MM2 class provides the best fit. While Mr. Erickson has specialized knowledge and may perform higher-level skilled duties in the operations and safety activities of the steam plant, the majority of work assigned to his position requires a general knowledge and application in several related skill fields. The responsibilities assigned to his position encompasses a variety of work ranging from repair and maintenance in the steam plant, to grounds keeping, to fire system maintenance and to security. Mr. Erickson independently performs a variety of maintenance and repair work which is consistent with the level of work anticipated by the MM2 class.

Mr. Erickson's supervisors indicated on the Position Description that his work involves a variety of working level trades work. While I realize these trades are also encompassed to some extent within the Stationary Engineer 2 classification, the time that Mr. Erickson spends doing HVAC and steam plant work does not constitute a majority of his work time. The Stationary Engineer 2 class does not fit the configuration of Mr. Erickson's position's assigned work. The MM2 classification is a better fit for Mr. Erickson's position's responsibilities than the Security Guard (class codes 385K and 385L), or the specific trade classes of Stationary Engineer 2 (class code 602K), Electrician (class code 608F) Heating, Ventilation and Air Conditioning Technician (class code 621J) or Plumber/Pipefitter/ Steamfitter (class code 621F).

A position's allocation is based on the majority of work assigned to a position. On a best fit basis, the work assigned to Mr. Erickson's position best fits within the MM2 classification. Mr. Erickson's position is appropriately allocated to the Maintenance Mechanic 2 class.

Appeal Rights

RCW 41.06.170 governs the right to appeal. RCW 41.06.170(4) provides, in relevant part, the following: *"An employee incumbent in a position at the time of its allocation or reallocation, or the agency utilizing the position, may appeal the allocation or reallocation to . . . the Washington personnel resources board . . . .Notice of such appeal must be filed in writing within thirty days of the action from which appeal is taken."*

Please note telephone and address changes:
June 26 through July 3, 2009, the offices of the Director's Review Program and Personnel Resources Board Appeals Program will be moving to the Department of Personnel building located at 600 South Franklin in Olympia. Starting June 26, 2009, the main phone number for the two programs will be **360-664-0388**. The fax number remains the same - **360-753-0139**.

All requests for Director's Reviews and appeals to the Personnel Resources Board must be filed:

In person at:	**OR**	**By mail at: (unchanged)**
600 South Franklin		Mail Stop 40911
Olympia, WA 98504-7530		Olympia, WA 98504-0911

If no further action is taken, the Director's determination becomes final.

cc: Gary Hill and Amy Achilles, WFSE
Robert Swanson, DSHS
Lisa Skriletz, DOP

Enclosure: Exhibits List

Exhibits List

A. Filed by employee September 2, 2008:

1. Director's Review Request form.
2. DSHS allocation determination August 5, 2008.
3. Position Description unsigned and undated.
4. Position Description form signed and date stamped (HR) July 23, 2008.
5. Organizational chart

B. Filed by Amy Achilles (WFSE) November 3, 2008

1. Notification dated 5/8/08 of downward reallocation to Maintenance Mechanic 2
2. PDF dated 7/23/08
3. Organizational Chart for Plant at Frances Haddon Morgan Center
4. PDF in place for Mr. Erickson prior to 7/23/08
5. Classification Specs for Stationary Engineer 2 (602K)
6. Classification Specs for Maintenance Mechanic 2 (626K)
7. Evaluation for period 11/14/07 – 11/14/08
8. Evaluation (Phase 1 only) for period 11/14/06 – 11/14/07
9. Evaluation for period 11/14/03 – 11/14/04
10. Plant expectations dated 8/24/98
11. Notification dated 5/28/04 of upward reallocation to Stationary Engineer 2
12. Plant operations log from 6/1/08 – 8/1/08

(continued)

C. DSHS Exhibits filed April 21, 2009 – see list

ALLOCATION APPEAL
#ALLO-08-057 R. Erickson
#ALLO-08-058 E. Gonzales
#ALLO-08-059 C. Lush

POSITION STATEMENT-EXHIBITS

Exhibit 1	Position Review Requests (PRR) dated July 23, 2008:		
	FY49 R. Erickson Maintenance Mechanic 2	MB56 E. Gonzales Maintenance Mechanic 2	FZ12 C. Lush Maintenance Mechanic 3
Exhibit 2	Previous Position Description Form for positions:		
	FY49 R. Erickson, MM2 Signed 12/8/05	MB56 E. Gonzales, MM2 Signed 4/15/05	FZ12 C. Lush, MM3 Unsigned
Exhibit 3	Allocation Review Decision Memos dated August 5, 2008 on all positions		
Exhibit 4	Organizational Chart		
Exhibit 5	Assessment of Observed Job Performance for positions FY49, MB56, & FZ12		
Exhibit 6	Stationary Engineer 2 Class Specs		
Exhibit 7	Stationary Engineer 3 Class Specs		
Exhibit 8	Maintenance Mechanic 1 Class Series Concept		
Exhibit 9	Maintenance Mechanic 2 Class Specs		
Exhibit 10	Maintenance Mechanic 3 Class Specs		